

STATE OF TENNESSEE

Office of the Attorney General



**JONATHAN SKRMETTI**  
ATTORNEY GENERAL AND REPORTER

P.O. BOX 20207, NASHVILLE, TN 37202  
TELEPHONE (615)741-3491  
FACSIMILE (615)741-2009

May 3, 2024

**VIA EMAIL AND CERTIFIED MAIL**

Heather Moore Collins  
Ashley Walter  
HMC Civil Rights Law, PLLC  
7000 Executive Cetner Dr. Suite 320  
Brentwood, TN 37027  
[heather@hmccivilrights.com](mailto:heather@hmccivilrights.com)  
[ashley@hmccivilrights.com](mailto:ashley@hmccivilrights.com)

RE: *B.P., et al., v. City of Johnson City, TN, et al.*, No. 2:23-cv-00071 (E.D. Tenn)  
Subpoena to District Attorney General Steven Finney

Dear Ms. Collins and Ms. Walter:

I represent non-party District Attorney General Steven Finney regarding a subpoena you have issued for him to appear and testify in the above-referenced matter on July 17, 2024. Respectfully, General Finney objects to the subpoena under Fed. R. Civ. P. 26(b), 45(d). Any information General Finney has about ongoing criminal investigations is protected under law enforcement privilege and the deliberative process privilege. *United States v. Se. Eye Specialists, PLLC*, 586 F. Supp. 3d 787, 793 (M.D. Tenn. 2022).

Further, a testimonial subpoena to a district attorney general may not be used to circumvent the protections of criminal investigative files. *See The Tennessean v. Metro Gov't of Nashville of Davidson Cnty*, 485 S.W.3d 857 (Tenn. 2016); *see also Sutton v. State*, No. 03C01-9702-CR-00067, 1999 WL 423005, at \*6 (Tenn. Crim. App. June 25, 1999); Tenn. Op. Atty. Gen. No. 18-07 (Mar. 8, 2018). Finally, any information General Finney has about ongoing criminal investigations and/or victims of sexual assault is confidential. *Johnson v. CoreCivic, Inc.*, No. 18-CV-01051-STA-TMP, 2019 WL 2158239, at \*2 n.2 (W.D. Tenn. Apr. 3, 2019).

Sincerely,

s/Liz Evan

EXHIBIT

4

ELIZABETH EVAN (BPR 37770)  
Assistant Attorney General  
Law Enforcement and  
Special Prosecutions Division  
Office of the Attorney General  
P.O. Box 20207  
Nashville, TN 37202-0207  
Phone: (615) 532-1600  
[Liz.Evan@ag.tn.gov](mailto:Liz.Evan@ag.tn.gov)

cc:

Elizabeth A. Kramer & Kevin M. Osborne  
Erickson Kramer Osborne, LLP  
44 Tehama Street  
San Francisco, CA 94105  
[elizabeth@eko.law](mailto:elizabeth@eko.law)  
[kevin@eko.law](mailto:kevin@eko.law)  
(415) 635-0631

Vanessa Baehr-Jones  
Advocates for Survivors of Abuse  
4200 Park Blvd. No. 413  
Oakland, CA 94602  
[vanessa@advocatesforsurvivors.com](mailto:vanessa@advocatesforsurvivors.com)